

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

July 10, 1947
10:30 A.M.

Council Chamber, City Hall

The meeting was called to order, with Mayor Miller presiding.

Roll call

Present : Councilmen Bartholomew, Glass, Mayor Miller, and Councilman
Thornberry - 4

Absent : Councilman Johnson - 1

Present also: Guiton Morgan, City Manager; J. E. Motheral, Director
of Public Works; Trueman E. O'Quinn, City Attorney; and R. D. Thorp, Chief
of Police.

The reading of the Minutes was dispensed with.

Ben. W. Greig, President and General Manager of Austin Transit, Inc.,
came before the Council and submitted the following request in writing:

" Austin, Texas
July 10, 1947

Austin City Council
City Hall
Austin, Texas

Gentlemen:

It is requested that the routes of the Austin Transit, Inc. be
changed effective July 20, as indicated on attached sheets and as
shown on attached map.

It is necessary that all of these changes be approved in one
lump group, as they will affect schedules which operate on the other
end of these lines; and they cannot be made separately.

Thanking you for immediate action on this matter, we are,

Yours very truly,

AUSTIN TRANSIT, INC.,

By (Sgd) Ben W. Greig."

(Routes attached)

MAIN

Start 6th and Congress
North on Congress to 11th
West on 11th to Lavaca
North on Lavaca to 19th
West on 19th to Guadalupe
North on Guadalupe to 39th
East on 39th to Avenue B
North on Avenue B to 45th
West on 45th to Guadalupe
South on Guadalupe to 11th
East on 11th to Congress
South on Congress to 6th
End of Line

MAIN NORTH HIGHWAY

Start at 6th and Congress
Same as Main to 45th and Guadalupe
North on Georgetown Road to Taulbee Street
End of Line
Return south on Georgetown Road to 45th and Guadalupe and follow route
of Main Line to 6th and Congress

(This extension of Main is to be inaugurated on a
90-day trial basis and is to run 6:30 A.M. to
8:30 A.M. and 4:30 P.M. to 6:00 P.M. daily)

MAIN SPEEDWAY

Start at 6th and Congress
North on Congress to 11th
West on 11th to Lavaca
North on Lavaca to 19th
West on 19th to Guadalupe
North on Guadalupe to 30th
East on 30th to Speedway
North on Speedway to 40th
East on 40th to Avenue G
North on Avenue G to 45th
West on 45th to Speedway
End of Line
South on Speedway to 30th
East on 30th to Guadalupe
South on Guadalupe to 11th
East on 11th to Congress
South on Congress to 6th

CROSSTOWN

Start at 13th and Chestnut
West on 13th to Colita
North on Colita to 14th
East on 14th to Chestnut
South on Chestnut to 12th
West on 12th to East Avenue
North on East Avenue to 19th
West on 19th to Speedway
North on Speedway to 21st
West on 21st to Nueces
North on Nueces to 24th
West on 24th to Windsor Road East
South on Windsor Road east to West Lynn and Enfield Road
West on Enfield Road to Hartford Road
North on Hartford and Jefferson Street to 29th
East on 29th to Guadalupe
South on Guadalupe to 19th
East on 19th to East Avenue
South on East Avenue to 12th
East on 12th to Chestnut Avenue
North on Chestnut to 13th
End of Line

ROSEDALE

6th at Congress west to Rio Grande
North on Rio Grande to 29th
West on 29th to San Gabriel
North on San Gabriel to 34th
West on 34th to Wabash
North on Wabash to 38th
West on 38th to Alice
North on Alice to 45th
North on Burnet Road to 49th
North on Woodrow to North Loop
West on North Loop to Jim Hogg
North on Jim Hogg to Houston
West on Houston to Burnet Road
End of Line

Return trip

South on Burnet Road to 45th
South on Alice Avenue and reverse entire route back to 6th and
Congress

EAST AVENUE-OAKWOOD

Start at 6th and Congress
North on Congress to 11th St
East on 11th to San Jacinto
North on San Jacinto to 15th St.
East on 15th to East Avenue
North on East Avenue to 19th St.
East on 19th to Chicon

EAST AVENUE-OAKWOOD (Cont'd)

North on Chicon to Manor Road
East on Manor Road to Walnut
South on Walnut to East 22nd
East on 22nd to Alexander
South on Alexander to 19th
West on 19th to East Avenue
South on East Avenue to 15th St.
West on 15th to San Jacinto
South on San Jacinto to 11th St.
West on 11th to Congress
South on Congress to 6th St.

AIRPORT-LAFAYETTE

Start at 6th and Congress
North on Congress to 11th
East on 11th to San Jacinto
North on San Jacinto to 15th
East on 15th to East Avenue
North on East Avenue to 29th
East on 29th to French Place
North on French Place to Concordia
West on Concordia to East Avenue
North on East Avenue to 41st
East on Wilshire Boulevard to State Highway 29
West on State Highway 29 to East Avenue
North on East Avenue to 52d and Cameron Road
West on 52d to Harmon Avenue
South on Harmon to 51st
East on 51st to East Avenue
Return same route back to 6th and Congress

(This service north of Concordia and East Avenue to Airport and 53d on a 90-day trial is to run a regular schedule from 6:00 A.M. to 9:00 A.M. and 4:30 P.M. to 7:00 P.M. with hourly buses between these hours and hourly service at 7:00 P.M.)

RED RIVER

Start at 6th and Congress
North on Congress to 19th
East on 19th to Red River
North on Red River to 47th
West on 47th to Caswell Avenue
South on Caswell Avenue to 45 $\frac{1}{2}$
East on 45 $\frac{1}{2}$ to Red River
South on Red River to 19th
West on 19th to Congress Avenue
South on Congress Avenue to 6th St.

RIDGETOP

Start at 6th and Congress
North on Congress to 19th
East on 19th to San Jacinto Boulevard
North to San Jacinto Boulevard to Duval
North on Duval to 51st
West on 51st to Avenue G
North on Avenue G to 53d
East on 53d to Clarkson
South on Clarkson to 49th
West on 49th to Duval
South on Duval to San Jacinto Boulevard
South on San Jacinto Boulevard to 19th
West on 19th to Congress
South on Congress to 6th

EAST END

Add to East End as follows:
From 12th and Hargrave
East on 12th to Harvey
North on Harvey to 16th
East on 16th to McKinley
South on McKinley to 14th
West on 14th to Harvey
South on Harvey to 12th
West on 12th to San Bernard
and continue former route to 6th and Congress

ST. EDWARDS

Add to St. Edwards as follows:
South on San Antonio Highway to Radam Lane
West on Radam Lane to South First
North on South First to Alpine Road
East on Alpine Road to San Antonio Highway
North on San Antonio Highway to end of old route
and continue return on old route

(This extension is to be on a 90-day trial basis
subject to withdrawal)

KINNEY AVENUE

At Kinney Avenue and Dywer Street change as follows:
West on Dywer to Garner
North on Garner to Linscomb
East on Linscomb to Kinney Avenue
South on Kinney Avenue to Treadwell
East on Treadwell to Fredericksburg Road
North on Fredericksburg Road to Barton Springs Road
East on Barton Springs Road to Congress Avenue
North on Congress Avenue to 6th and Congress

MAKE THE FOLLOWING CHANGES ON ALL LINES GOING EAST AT 1ST:

Eliminate all buses turning at 2d and Congress and have them go to 1st and Congress and go east on 1st Street, eliminating the turn at 2d and San Jacinto Boulevard and 1st and San Jacinto Boulevard.

Mayor Miller moved that, the Traffic Department and certain members of the City Council having approved the same after survey and careful consideration, the City Council approve the change in routes as outlined in the foregoing request of Austin Transit, Inc. The motion carried by the following vote;

Ayes : Councilmen Bartholomew, Glass, Mayor Miller, and Councilman Thornberry

Noes : None

Absent: Councilman Johnson

The application of HERMAN OWENS, 1311 West 6th Street, for a license to operate as a taxicab a 4-door Chevrolet Sedan, 1942 Model, Factory No. BA-56453, State License No. JB-8189, duly approved by the City Manager, was submitted. Councilman Glass moved that the license be granted. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Mayor Miller, and Councilman Thornberry

Noes : None

Absent: Councilman Johnson.

The appeal of JESSE JAMES PARK, 1400 Newning Avenue, on his application for a taxicab driver's permit, recommended for denial, was heard. After considering the facts in the case, Councilman Thornberry moved that the said Jesse James Park be granted a probationary permit for 90 days to drive a taxicab. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Mayor Miller, and Councilman Thornberry

Noes : None

Absent: Councilman Johnson

Councilman Bartholomew offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, St. Mary's Academy has acquired 10.61 acres of land in the City of Austin out of Outlot 14, Division "C", together with all buildings and other improvements, to be used by St. Mary's Academy as a parochial school; and

WHEREAS, St. Mary's Academy has made application through its authorized representatives, to the City Council for exemption from taxation for the land acquired by the school; and

WHEREAS, St. Mary's Academy is an institution of a religious and educational nature within the meaning and effect of Section 2 of Article VIII of the Constitution of the State of Texas and Article 7150 of the Revised

Civil Statutes of Texas, and the City Council deems it fitting and lawful that the property of St. Mary's Academy should be exempt from taxation by the City of Austin; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Tax Assessor and Collector be and he is hereby authorized and directed to place the following described property of St. Mary's Academy on the list of real estate exempt from taxation by the City of Austin so long as the same may be used by St. Mary's Academy strictly for school purposes:

5.83 acres out of Outlot 14, Division C, Plat 82, Item 59;
4.78 acres out of Outlot 14, Division C, Plat 82, Item 58.

Which motion, carrying with it the adoption of the resolution, carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Mayor Miller, and Councilman Thornberry

Noes : None

Absent: Councilman Johnson

Councilman Glass introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE ENTITLED "AN ORDINANCE REGULATING THE CONSTRUCTION, MAINTENANCE AND OPERATION OF STOCKYARDS IN THE CITY OF AUSTIN OR WITHIN FIVE THOUSAND FEET OF THE CORPORATE BOUNDARIES; DEFINING CERTAIN WORDS AND PHRASES; AND PROVIDING FOR THE LICENSING AND BONDING OF STOCKYARD OWNERS, MARKET AGENCIES AND DEALERS; PROVIDING AN EXCEPTION FOR LIVESTOCK COMMISSION MERCHANTS AND LIVESTOCK AUCTION COMMISSION MERCHANTS OPERATING UNDER STATE LAW; REQUIRING THE PAYMENT OF AN ANNUAL LICENSE FEE; PRESCRIBING CERTAIN SANITARY REGULATIONS FOR STOCKYARDS AND FOR THE INSPECTION OF STOCKYARDS AND OF LIVESTOCK DELIVERED TO OR HELD IN ANY STOCKYARD; PRESCRIBING PENALTIES; PROVIDING A SAVING CLAUSE AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE, BUT PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF OTHER ORDINANCES NOT INCONSISTENT WITH THIS ORDINANCE," WHICH WAS PASSED BY THE CITY COUNCIL MARCH 6, 1941, AND IS RECORDED IN BOOK "L", PAGES 87 ET SEQ. OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, BY REPEALING SECTION 7 OF SAID ORDINANCE, MAKING IT UNLAWFUL FOR A STOCKYARD OWNER TO BUY OR SELL LIVESTOCK ON A COMMISSION BASIS; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman Glass moved that the rule be suspended and the ordinance be passed to its second reading. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Mayor Miller, and Councilman Thornberry

Noes : None

Absent: Councilman Johnson

The ordinance was read the second time and Councilman Glass moved that the rule be further suspended and the ordinance be passed to its third reading. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Mayor Miller, and Councilman Thornberry

Noes : None

Absent: Councilman Johnson

The ordinance was read the third time and Councilman Glass moved that the ordinance be finally passed. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Mayor Miller, and Councilman Thornberry

Noes : None

Absent: Councilman Johnson

Thereupon Mayor Miller announced that the ordinance had been finally passed.

Councilman Bartholomew offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, John Broad is the Contractor for the alteration of a building located at 917 Congress Avenue and desires a portion of the sidewalk space abutting the south 1/2 of Lot 5, Block 111, of the Original City of Austin, Travis County, Texas, during the alteration of the building, such space to be used in the work and for the storage of materials therefor; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

1. That space for the uses hereinabove enumerated be granted to said John Broad, the boundary of which is described as follows:

Sidewalk Working Space

Beginning at the northwest corner of the above described property; thence in a westerly direction and at right angles to the centerline of Congress Avenue to a point four feet east of the east curb line; thence in a southerly direction and parallel with the centerline of Congress Avenue 23 feet to a point; thence in an easterly direction and at right angles to the centerline of Congress Avenue to the southwest corner of the above described property.

2. That the above privileges and allotment of space are granted to the said John Broad, hereinafter termed "Contractor," upon the following express terms and conditions:

(1) That the Contractor shall erect within the above described working space a solid fence built of not less than one-inch material and at least 8 feet in height (or extending from the sidewalk to the under side of the present awning) substantially braced and anchored and to maintain

same in good condition at all times while the work is in progress. The Contractor will be permitted to put a door in the barricade that will either open in or slide parallel to the barricades, and at all times that material is being delivered or taken away from the building, a watchman shall be provided to warn pedestrians of approaching danger. The Contractor will also be permitted to use two parking meter spaces immediately in front of the entrance in the barricade for the delivery or removal of materials during construction work.

(2) That the Contractor shall in no way obstruct any fire plugs or other public utilities in the construction of such barricades.

(3) That provisions shall be made for the normal flow of all storm waters in the gutter and the Contractor will be responsible for any damage done due to obstruction of any such storm water.

(4) That the Contractor shall place on the outside corners of any walkway, barricades or obstructions, red lights during all periods of darkness and provide lighting system for all tunnels.

(5) That the Contractor shall remove all fences, barricades, loose materials and other obstructions on the sidewalk and street immediately after the necessity for their existence on said sidewalk or street has ceased, such time to be determined by the City Manager, and in any event all such sidewalk barricades, materials, equipment, and other obstructions shall be removed not later than September 1, 1947.

(6) That the City reserves the right to revoke at any time any and all the privileges herein granted or to require the erection or installation of additional barriers or safeguards if the conditions demand it.

(7) That the use and enjoyment of the spaces herein granted shall not be exclusive as against public needs, and the City, in making such grant reserves the right to enter and occupy any part or all of said space any time with its public utilities, or for other necessary public purposes.

(8) That any public utility, or public or private property, disturbed or injured as a result of any of the activities necessary for the completion of the construction work for said building projects whether done by the Contractor, City forces, or public utilities, shall be replaced or repaired at the Contractor's expense.

(9) That the Contractor shall furnish the City of Austin a surety bond in the sum of Five Thousand Dollars (\$5,000.00), which shall protect, indemnify and hold harmless the City of Austin from any claims for damages to any person or property that may accrue to or be brought by any person by reason of the exercise or abuse of the privileges granted the Contractor by the City of Austin and shall guarantee the replacement of all sidewalks, pavement and all other public property and public utilities disturbed or removed during the construction work, and shall further guarantee the construction of a walkway and other safeguards during the occupancy of the space.

Which motion, carrying with it the adoption of the resolution, carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Mayor Miller, and Councilman Thornberry

Noes : None

Absent: Councilman Johnson

Councilman Bartholomew offered the following resolution:

(RESOLUTION)

WHEREAS, Texas Public Service Company has presented to the City Council tentative maps or plans showing the proposed construction of its gas mains in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the City Council; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That Texas Public Service Company be, and the same is hereby, permitted to lay and construct its gas mains in and upon the following streets:

- (1) A gas main in LARRY LANE, from a point 456 feet north of Manor Road, northerly 240 feet, the centerline of which gas main shall be 7.5 feet west of and parallel to the east property line of said Larry Lane.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

- (2) A gas main in BURNET ROAD, from a point 213 feet south of Northland Drive, southerly 176 feet, the centerline of which gas main shall be 7.5 feet west of and parallel to the east property line of said Burnet Road.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

- (3) A gas main in MERIDEN LANE, from a point 70 feet north of West 11th Street, south to West 10th Street, the centerline of which gas main shall be 7.5 feet west of and parallel to the east property line of said Meriden Lane.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

- (4) A gas main in WEST 10TH STREET, from Meriden Lane to Winsted Lane, the centerline of which gas main shall be 7.5 feet south of and parallel to the north property line of said West 10th Street.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

- (5) A gas main in WINSTED LANE, from West 10th Street southerly 852 feet, the centerline of which gas main shall be 7.5 feet west of and parallel to the east property line of said Winsted Lane.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

- (6) A gas main in WEST 8TH STREET from Winsted Lane easterly 198 feet, the centerline of which gas main shall be 7.5 feet south of and parallel to the north property line of said West 8th Street.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

- (7) A gas main in HIGHGROVE TERRACE, from Winsted Lane westerly 442 feet, the centerline of which gas main shall be 7.5 feet south of and parallel to the north property line of said Highgrove Terrace.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

- (8) A gas main in WEST 9TH STREET, from Winsted Lane easterly 238 feet, the centerline of which gas main shall be 7.5 feet south of and parallel to the north property line of said West 9th Street.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

The Texas Public Service Company is hereby put upon notice that the City of Austin does not guarantee that the space assigned above is clear from other underground utilities, but is based upon the best records we have at hand, and that the minimum depth stated does not have any reference to the fact that greater depths may not be required at special points. When the Texas Public Service Company requires definite information upon the ground as to elevations or working points from which to base the location of their assignments, they shall apply to the Department of Public Works not less than three (3) days before such information is required. The Texas Public Service Company is further put upon notice that they will be required to bear the expense of repairs or replacement of any underground utility damaged during the construction of lines named in this resolution.

And that whenever pavement is cut in the vicinity of a fire plug, water must be used at intervals during the course of backfilling of the ditches.

That the work and laying of said gas mains, including the excavation in the streets and the restoration and maintenance of said streets after said mains have been laid, shall be under the supervision and direction of the City Manager, and under all the pertinent terms and conditions of the certain franchise granted to said Company by the City of Austin.

Which motion, carrying with it the adoption of the resolution, carried by the following vote:

Ayes : Councilmen Bartholomew, Glass,

The application of GEORGE JACKSON STEEN, 1101 Kinney Avenue, for a taxicab driver's permit, duly approved by the City Manager, was submitted.

Councilman Bartholomew moved that the permit be granted. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Mayor Miller, and Councilman Thornberry

Noes : None

Absent: Councilman Johnson

The application of JEROME EDGAR ROBERTSON, 2620 Wichita Street, for a taxicab driver's permit, duly approved by the City Manager, was submitted. Councilman Bartholomew moved that the permit be granted. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Mayor Miller, and Councilman Thornberry

Noes : None

Absent: Councilman Johnson

The following applications for private boat licenses, duly approved by the Lake Austin Navigation Board, were submitted:

<u>Name of Owner</u>	<u>Description</u>
Bensten, Donald L. - 1701 West 34th Street	Higgins, Inboard, 1947 Model, Utility, Chrysler, 8-passenger
Gunn Brothers Construction Co.-Rt. 4, Box 152-H	Criss Craft, Outboard, 1947 Model, Johnson, 6-passenger
Irwin, Robert H.- Bergstrom Field	Wolverine, Outboard, 1942 Model, Johnson, 6-passenger
Isbell, K.R., 3206 Lafayette Street	Home-made, Outboard, 1946 Model, Sea King, 4-passenger
Kelly, H.E., 1912 Alta Vista	Penn Yann, Inboard, 1944 Model, 6-passenger
Loomis, Frederick H., University YMCA	Thompson, Canoe, 1946 Model, 4-passenger
Miller, Emmett P., 2807 East 22nd Street	Thompson, Outboard, 1937 Model Evinrude, 4-passenger
Twidwell, Dorsey, 2206-B Longfellow Street	Sportmaster, Outboard, 1947 Model, Martin, 4-passenger
Stuessy, E.E., 610 Baylor Street	Thompson, Outboard, Martin, 4-passenger
Williams, Harry, Jr., 201 East 30th Street	Goodyear Navy Landing Craft, Outboard, 1947 Model, "Narwal", 10-passenger

Councilman Bartholomew moved that the licenses be granted. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Mayor Miller, Councilman Thornberry

Noes : None

Absent: Councilman Johnson

The following applications for commercial boat licenses, duly approved by the Lake Austin Navigation Board, were submitted:

<u>Name of Owner</u>	<u>Description</u>
Pearson, C. R., 2629 Judson Road	Home-made, Redwood, paddles, 2-passenger
Pearson, C. R. 2629 Judson Road	Home-made, 12" Pine, paddles, 3-passenger
Pearson, C. R. 2629 Judson Road	Home-made, 12" Pine, pars, 4-passenger
Pearson, C. R. 2629 Judson Road	Home-made, 12" Pine, paddles, 3-passenger
Pearson, C. R. 2629 Judson Road	Home-made, 12" Pine, paddles, 3-passenger
Pearson, C. R. 2629 Judson Road	Home-made, 10" Fir, paddles, 1-passenger

boats to be operated below the Tom Miller Dam.

Councilman Bartholomew moved that the licenses be granted. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Mayor Miller, and Councilman Thornberry

Noes : None

Absent: Councilman Johnson.

The application of C. K. HAGE, 1805 East 6th Street, for a local distributor's beer license, duly approved by the City Manager, was submitted. Councilman Glass moved that the license be granted. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Mayor Miller, and Councilman Thornberry

Noes : None

Absent: Councilman Johnson

The application of CRUZ GALINDO, for C O D BAR, 718 East 6th Street, for a wine and beer license, duly approved by the City Manager, was submitted. Councilman Glass moved that the license be granted. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Mayor Miller, and Councilman Thornberry

Noes : None

Absent: Councilman Johnson

The application of SHEPS LIQUOR STORE, 307 East 6th Street, by Josephine Sheppard, for a liquor license, duly approved by the City Manager, was submitted. Councilman Glass moved that the license be granted. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Mayor Miller, and Councilman Thornberry

Noes : None

Absent: Councilman Johnson

The following report of the Board of Adjustment was received and filed;

"ZONING BOARD OF ADJUSTMENT
AUSTIN, TEXAS
ZONING CHANGE RECOMMENDATION .

Applicant : Dr. A. H. Neighbors, Jr.

I. Referred to the Board by the City Council on : June 5, 1947

II. Property affected:

Lots 1, 2, 3, 4, and 5, Block 8, Hyde Park Addition, being known as 4413 and 4415 Avenue A and located at the southeast corner of Avenue A and West 45th Street

III. To be changed

From: "B" Residence District

To : "C" Commercial District

IV. Considered by the Board on : June 17, 1947

V. Parties appearing:

For : Dr. A. H. Neighbors, Jr.

Against: Ernest Raven, Mrs. G. L. Huckaby, T. L. Rylander,
and Murray Ramsey

VI. Action of the Board: Change not recommended

For the following reasons:

1. The property requested to be changed is located in a "B" Residence District one block west of Guadalupe Street, and the applicant affirms that he is requesting the change because of other business establishments in the neighborhood, but stated that he had no immediate plans for commercial development.

2. There are two nurseries and a non-conforming grocery store located in this area, the nurseries and greenhouses being permitted in a residence district under the Zoning Ordinance.

3. Several property owners in this vicinity appeared protesting the change on the grounds that they had bought their property in this area for homes with the knowledge that the property along Guadalupe Street was commercial and that the grocery store and nurseries existed, that this area is developing rapidly with new homes, and that they wanted the property to remain a residence zone and did not want additional business zones or establishments.

4. This request is for a change of zoning on property under single ownership, which would create a spot zone, for the benefit of one owner and not in response to a need or public demand for business at this location, and the Board deemed that there is sufficient commercial property along Guadalupe Street to serve this community, and further deemed that to change the zoning classification of the applicant's property would be detrimental to the residential character of the neighborhood.

(Sgd) H. F. Kushne
Chairman "

Councilman Bartholomew moved that, at the request of the applicant, Dr. A. H. Neighbors, Jr., a public hearing on the above matter be called for Thursday, July 31, 1947, at 11:00 A. M. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Mayor Miller, and Councilman Thornberry

Noes : None

Absent: Councilman Johnson

The application of Wendon M. Thiele, by Earl Shelton, Attorney, for a change in zoning, from "A" to "D", of property located at 4421 Bellvue Avenue, was received. Councilman Bartholomew moved that the matter be referred to the Board of Adjustment for consideration and recommendation. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Mayor Miller, and Councilman Thornberry

Noes : None

Absent: Councilman Johnson

Pursuant to published notice thereof, the public hearing on the application of Mr. and Mrs. M. C. Moore and Frank Reeder to amend the Zoning Ordinance in the following particular:

To amend the USE designation of the following described property so as to change the same from "C" Commercial District to "D" Industrial District, to-wit:

Tract of land located at the southeast corner of the intersection of East Ist and Tillery Streets, fronting 150 feet on East Ist Street and 162.32 feet on Tillery Street, in the City of Austin, Travis County, Texas,

was duly opened.

No property owner or other interested person appeared either for or against the proposed change, and thereupon Mayor Miller moved that the matter be deferred indefinitely pending further notice from the owners. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Mayor Miller, and Councilman Thornberry

Noes : None

Absent: Councilman Johnson

Pursuant to published notice thereof, the public hearing on the application of S. G. Garrett to amend the Zoning Ordinance in the following particular :

To amend the USE designation of the following described property so as to change the same from "B" Residence District to "C" Commercial District, to-wit:

A tract of land located at the northeast corner of the intersection of Red River and East 32nd Streets, fronting 175 feet on Red River Street and 150 feet on East 32nd Street, containing 28,544 square feet, and being out of Outlot 22, Division C , in the City of Austin, Travis County, Texas,

was duly opened.

The following persons appeared and plead for the change substantially as follows:

S. G. GARRETT, proponent, who stated that he desires to build a community center on the property to serve a 50-unit apartment house that E. J. Hood contemplates erecting just across the street, and also to serve the surrounding area, and that a community center is necessary to meet F.H.A. requirements for the apartment house. He further submitted petitions bearing fifty-three signatures of property owners in the vicinity asking that the zoning change be made to permit the erection of a community center.

E. J. HOOD, MRS. J. E. MONROE, SR., and MRS. JNO. O. NAVEN, in person and by letter and petition, indorsed the change on the grounds that a community center would be an asset to the neighborhood, and that the property in question, originally zoned as "C" Commercial, was arbitrarily changed to "A" Residence without notice to proponent and should now be changed back to the original zoning.

The following persons appeared and protested the change substantially as follows:

H. A. BUTCHER, GLENN LEWIS, JULIUS RUNGE, MRS. S. W. BOHLES, and GEO. H. FANCHER, who protested the change on the grounds that it would be spot zoning; that it would deteriorate the value of their homes; that there is no necessity for a store there; that they did not know what kind of a community center it would be; that the property owners knew when they bought there it was not zoned as "C" Commercial; that proponent can sell this property without this change; that it would increase traffic hazard for the school children attending Robert E. Lee School; and that this area is now adequately served by a community center. Mr. Runge stated further that if the community center were placed in the center of the Garrett tract he would not oppose it, but does object to its being on the corner.

A petition bearing the signatures of approximately eighty-four property owners, objecting to the change, was received.

No other property owner or interested person desiring to be heard, the matter was taken under advisement by the City Council, pending the approval of the tract for real estate development, and the character of houses and apartments that will be built there - a decision on the matter to be made within the next two weeks.

Pursuant to published notice thereof, the public hearing on the application of Edwin M. Dezendorf to amend the Zoning Ordinance in the following particular :

To amend the USE designation of the following described property so as to change the same from "A" Residence District to "C" Commercial District, to-wit:

Tract of land located at the southeast corner of the intersection of Manor Road and Maple Avenue, such tract fronting 244 feet on Manor Road and extending back a depth of 300 feet, in the City of Austin, Travis County, Texas,

was duly opened.

EDWIN M. DEZENDORF, proponent, plead for the change on the grounds that there were only about three property owners within two hundred feet of his property; that he wants to put in a store there as the mattress factory ruins the property for residences.

The following property owners appeared and protested the change substantially as follows:

FRANK TREKEL, 2506 Manor Road, who declared that he lives just across the street from the property in question and did not think they should be penalized for Mr. Dezendorf's inability to look into the zoning of land he buys; that there is no need for a community store there of any kind as there is one on the corner of East Avenue and Manor Road; that the neighborhood is too poor to support any fine building and when the highway is completed down East Avenue there will not be enough traffic on Manor Road to support a store, and he thought the Council would make a mistake to grant any change there;

LLOYD TAYLOR, 2507 Manor Road, who declared that there is no necessity for additional commercial zoning there as eight blocks on Manor Road, from Comal to Chestnut Streets, are already zoned as commercial, and that stores there would make the residential value of property go down;

E. J. MOBERG, 2502 Manor Road, declared that he owned his property before Mr. Dezendorf bought his, and that if Mr. Dezendorf really wanted to develop the property he could build some nice houses there.

MRS. CHARLES A. GREER, 2205 Chestnut Street, declared that he had lived there for many years; that, while nothing could be done about the mattress factory that was already there, she was opposed to any more commercial places; that on account of her health, she has to have a quiet place to live, but if the property is sold for a drive-in theater she would

be compelled to move on account of the noise; and that a certain church is considering the purchase of this property, and if sold to it, no zoning change would be necessary.

All property owners and interested persons present having been given an opportunity to be heard, action on the matter was postponed at the request of the proponent, Edwin M. Dezendorf.

A group of property owners living adjacent to, and in the vicinity of, King's Cedar Yard in the 2200 block of Fredericksburg Road, appeared before the Council in the matter of their previous request that said yard be moved by reason of its being a fire hazard and a hiding place for rats and snakes, declaring that their homes were in great jeopardy during the recent fire at said yard.

Jerome K. Sneed, Attorney for F. W. King, owner of said King's Cedar Yard, appeared to protest the removal of said yard. Following the discussion, the matter was taken under advisement by the City Council with the City Attorney and Attorney Sneed to determine what legal rights the City has in the matter.

The above group of property owners also asked that a fire station be built in that vicinity to afford better fire protection to that section of the City. They were advised by the Mayor that a fire station west of South Congress Avenue was included in the 10-year bond program and would be built as soon as it was possible to do so.

The following resolution was submitted:

(RESOLUTION)

WHEREAS, the following named persons owed delinquent taxes to the City of Austin; and

WHEREAS, the City Assessor and Collector has collected the amounts shown herein for the years indicated:

E. A. Hobbs	- 1930 and 1931	- \$ 9.92
Rosa La Prella	1938 thru 1946	125.28
C. M. Darnall	1945	236.57
Mitchell A. Toney	1939 thru 1946	247.52
Austin Dam & Suburban Railway Company	1946	293.75
L. J. Priest	1941	1.85
W. H. Tyler	1945, 1943, 1946	13.47
Charles D. Gower	1945	<u>28.09</u>
		\$956.45

and

WHEREAS, on the above accounts penalties and interest in the sum of \$37.56 was collected; Therefore,

BE IT RESOLVED BY THE CITY COUNCIL:

That the Tax Assessor and Collector be, and is hereby, authorized and directed to clear the above accounts as paid for all years indicated.

The resolution was adopted by the following vote:

Ayes : Councilmen Bartholomew, Glass, Mayor Miller, and Councilman
Thornberry

Noes : None

Absent: Councilman Johnson

Upon motion, seconded and carried, the meeting was then recessed, subject to call of the Mayor.

Approved.

Tom Miller

MAYOR

Attest:

Helene M. Kellan

CITY CLERK